

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/742,579	12/21/2000	Fatih M. Ozluturk	I-2-91.10US

24374

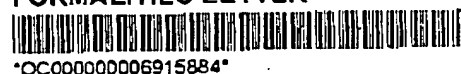
VOLPE AND KOENIG, PC
DEPT ICC
SUITE 400, ONE PENN CENTER
1617 JOHN F. KENNEDY BOULEVARD
PHILADELPHIA, PA 19103RECEIVED
AM/PM

OCT 18 2001

VOLPE & KOENIG, P.C.

CONFIRMATION NO. 8594

FORMALITIES LETTER



OC000000006915884

Date Mailed: 10/16/2001

NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Filing Date Granted

The U.S. Patent and Trademark Office has received your reply on 08/29/2001 to the Notice to File Missing Parts (Notice) mailed 02/27/2001 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application.

The required items noted below SHOULD be filed along with any items required above. The filing date of this nonprovisional application will be the date of receipt of the items required above.

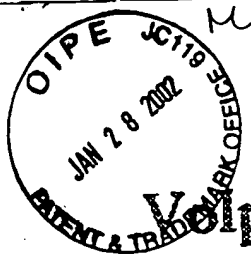
- The signature of the following inventor(s) is missing from the oath or declaration:
Avi Silverberg, Robert T. Regis, Michael Luddy, Alexander Marra, Alexander Jacques, John W. Haim

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



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FACSIMILE COVER SHEET

TO: Office of Initial Patent Examination, Customer Service Center FAX NO.: 703-308-7751

FROM: Frank A. Mazzeo; Registration No. 46,259

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the **PATENT APPLICATION** of:

Ozluturk et al.

Application No.: 09/742,579 /

Confirmation No.: 8594

Filed: December 21, 2000

For: APPARATUS FOR INITIAL POWER
CONTROL FOR SPREAD-SPECTRUM
COMMUNICATIONS

Group: 2631

Examiner: Not Yet Known

Our File: I-2-91.10US

Date: January 28, 2002

Enclosed are:

- 1) A Reply to Notice of Incomplete Reply (Nonprovisional) with enclosures (15 pgs.);
and
- 2) Fee Transmittal (3 pgs.), in triplicate.

Therefore, including this transmission cover sheet, a total of 19 pages are being faxed.

NOTIFY Laurie M. Bull IF TRANSMISSION IS NOT COMPLETE OR LEGIBLE.

I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office on

January 28, 2002.

Laurie M. Bull

January 28, 2002

Date

Patents

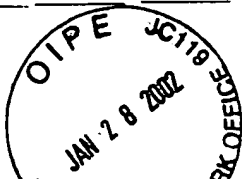
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Litigation

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Volpe and Koenig Revision of PTO/SB/17 (10-01)
Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$)

0

Complete if Known

Application Number	09/742,579
Filing Date	December 21, 2000
First Named Inventor	Ozluturk et al.
Examiner Name	Not Yet Known
Group Art Unit	2631
Attorney Docket No.	I-2-91.10US

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit
Account
Number

22-0493

Deposit
Account
Name

VOLPE AND KOENIG, P.C.

- ☒ Charge any deficiencies or Credit any overpayment in the Total Fees Associated With This Communication
☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
101 740	201 370		Utility filing fee	
106 330	206 165		Design filing fee	
107 510	207 255		Plant filing fee	
108 740	208 370		Reissue filing fee	
114 160	214 80		Provisional filing fee	

SUBTOTAL (1) (\$)

0

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	** =	X	
Multiple Dependent	** =	X	

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
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103 18	203 9		Claims in excess of 20	
102 84	202 42		Independent claims in excess of 3	
104 280	204 140		Multiple dependent claim, if not paid	
109 84	209 42		** Reissue Independent claims over original patent	
110 18	210 9		** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$)

0

**or number previously paid, if greater, For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for ex parte reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 400	216 200	Extension for reply within second month	
117 920	217 460	Extension for reply within third month	
118 1,440	218 720	Extension for reply within fourth month	
128 1,960	228 980	Extension for reply within fifth month	
119 320	219 160	Notice of Appeal	
120 320	220 160	Filing a brief in support of an appeal	
121 280	221 140	Request for oral hearing	
138 1,510	138 1,510	Petition to Institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,280	241 640	Petition to revive - unintentional	
142 1,280	242 640	Utility issue fee (or reissue)	
143 460	243 230	Design issue fee	
144 620	244 310	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Processing fee under 37 CFR 1.17(q)	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 740	246 370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 740	249 370	For each additional invention to be examined (37 CFR § 1.129(b))	
179 740	279 370	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

0

SUBMITTED BY

Name (Print/Type) Frank A. Mazzeo

Registration No. 46,259
(Attorney/Agent)

Complete (if applicable)

Telephone 215-568-6400

Signature

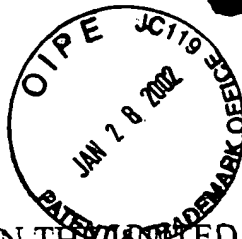
Frank A. Mazzeo

Date

1/28/02

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC

**PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the **PATENT APPLICATION** of:

Ozluturk et al.

Application No.: 09/742,579**Confirmation No.:** 8594**Filed:** December 21, 2000**For:** APPARATUS FOR INITIAL POWER
CONTROL FOR SPREAD-SPECTRUM
COMMUNICATIONS**Group:** 2631**Examiner:** Not Yet Known**Our File:** I-2-91.10US**Date:** January 28, 2002**REPLY TO NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)**

Initial Patent Examination Division
Customer Service Center
Commissioner for Patents
Washington, D.C. 20231

Sir/Madam:

This Reply is filed in response to the Notice of Incomplete Reply (Nonprovisional), copy attached, mailed by the U.S. Patent and Trademark Office (PTO) on October 16, 2001.

Applicants submit that their Response to Notice to File Missing Parts of Nonprovisional Application, filed on August 24, 2001, was complete as there are only three inventors in this application.

On December 21, 2000, Applicants filed this application, included in which was an unsigned declaration naming nine inventors. On February 27, 2001, the PTO mailed a Notice to File Missing Parts. Applicants' Response to the Notice to File Missing Parts

Applicant: Ozluturk et al.
Application No.: 09/742,579


included three original declarations, each one signed by one of the three inventors. Copies of the three declarations are enclosed.

37 C.F.R. §1.48(f)(1) provides that "... the first submission of an executed oath or declaration by any of the inventors during the pendency of the application will act to correct the earlier identification of inventorship." Therefore, the only inventors in this application are the ones who signed the declarations filed on August 24, 2001 with the Response to Notice to File Missing Parts, namely Fatih Ozluturk, Gary Lomp and John Kowalski. The PTO's outstanding Notice of Incomplete Reply was incorrect in that it requests the signed oaths or declarations of six people who are not inventors in this application.

Applicant submits that its August 24, 2001, Response to Notice to File Missing Parts was fully responsive. Accordingly, this application should be considered complete and not abandoned. The filing date should remain December 21, 2000.

Respectfully submitted,

Ozluturk et al.

By 
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